

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 22nd SEPTEMBER 2020**

**Question**

Will H.M. Attorney General advise whether in-principle propositions that seek or request action from Ministers or the Council of Ministers are legally binding on any such Ministers or the Council?

**Answer**

Approval of a proposition “in principle” by the Assembly which requests a Minister or the Council of Ministers to take action does not of itself create legislation. Such decisions show the will of the Assembly to the Minister or Council of Ministers to make decisions or exercise their powers a particular way, but they do not constitute a legal obligation to do so.

In addition the Minister could not, for example, be legally bound to take steps in relation to a proposition approved by the Assembly if the Minister does not have the power to take such action under the relevant law, or if it would put the Minister in breach of the relevant law.

There may however be political consequences if the Minister or the Council of Ministers fail to take action in respect of a proposition approved by the Assembly, for example a vote of no confidence.